

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

KEVIN SILAS,)	
)	
Plaintiff,)	Civil Action No. 07-6J
)	
v.)	Judge Gibson
)	Magistrate Judge Caiazza
GERALD L. ROZUM, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

Kevin Silas' complaint pursuant to 42 U.S.C. §1983 was sent to the court along with a petition to proceed in forma pauperis on January 9, 2007, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on February 7, 2007, recommended that the complaint be dismissed as frivolous, and that the Plaintiff's Motion for Preliminary Injunction (Doc. 7) be denied. The parties were allowed ten days from the date of service to file objections. Service was made on the Plaintiff by First Class United States Mail delivered to SCI-Somerset. Objections were due on or before February 26, 2007, but none have been filed.

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 2nd day of March, 2007,

IT IS HEREBY ORDERED that the Complaint is DISMISSED AS FRIVOLOUS, and that the Plaintiff's Motion for Preliminary Injunction (Doc. 7) is DENIED.

The Report and Recommendation of Magistrate Judge Caiazza, (Doc. 10), dated February 7, 2007, is adopted as the opinion of the court.

A handwritten signature in black ink, appearing to read "Kim R. Gibson". The signature is written in a cursive, flowing style.

Kim R. Gibson
U.S. District Court Judge

cc: Kevin Silas
AM-7160
SCI Somerset
1600 Walters Mill Road
Somerset, PA 15510